

REMARKS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 13 and 14 have been canceled and claims 12 and 18 have been amended. Thus, claims 12 and 15-18 are pending for further examination.

The drawings corrections submitted with the last response have been approved. However, the Examiner has indicated that additional drawing corrections are needed based on the PTO-948 attached to the outstanding Office Action. As a result, the Examiner has required that further drawings corrections be submitted to correct the objections noted on the PTO-948. However, Applicant respectfully submits that the objections on PTO-948 appear to be based on the originally filed drawings and do not take into account the approved drawing changes or the appropriate Fig. 1. For example, the non-English text has been changed to English text in the proposed drawing corrections. In addition, the PTO-948 indicates that Figures 1-4 need to be separately labeled. However, there is only one figure (Fig. 1) in this application. This drawing cannot be divided into four drawings due to the fact that the elements therein are all interconnected. Thus, reconsideration and withdrawal of the objections to the drawings are requested. Applicant will promptly submit formal drawings upon resolution of the above issues and approval of the drawings as presently presented.

Claims 12-15 have been rejected under 35 USC 102(b) as being anticipated by Johnny Rockets Name That Tune. Applicant initially points out that the information provided by the Examiner in support of this rejection does not indicate that the cited

references constitutes prior art relative to the instant application. Thus, the rejection appears to be untenable for this reason. However, even in this reference did constitute prior art (which is not admitted), the reference does not teach or suggest the features set forth in amended claim 12 herein. For example, amended claim 12 requires that the terminal be a jukebox system that includes a storage device that stores a library of musical recordings that can be played in full on the terminal for a fee, and further wherein the library of musical recordings can be updated with additional musical recordings through communication with the server, thereby defining a customized library of musical recordings on the jukebox system. Claim 12 further requires that the jukebox system is operable to dynamically select the musical recording for the game from the customized library of musical recordings and to dynamically generate the question for the game based on contents of the customized library of musical recordings stored on the jukebox system.

Internet music games, such as Johnny Rockets Name That Tune, do not include or suggest the particular combination of features set forth in amended claim 12. For example, in Internet games, the music used for the game is not dynamically generated based on a customized library of musical recordings stored on a jukebox system. Moreover, in Internet games, the questions are not dynamically generated based on the contents of the customized library of musical recordings. In addition, in internet games, there is not a jukebox system as claimed that enables a user to select a song for full playback on the jukebox system for a fee. Thus, for at least these reasons, Applicant respectfully submits that the cited reference does not teach or suggest the invention

defined in amended claim 12 herein. Moreover, none of the other references of record make up for the clear deficiencies of the cited reference (even if they did constitute prior art – which has not been established).

In view of the foregoing amendments and remarks, Applicant believes that the amended claims herein clearly and patentably distinguish the references of record and are in condition for allowance. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

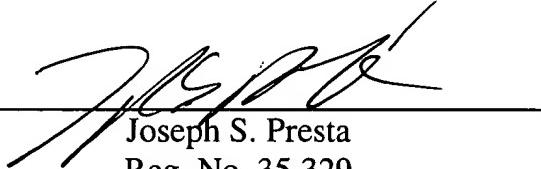
Should the Examiner have any questions regarding this application, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "Version With Markings To Show Changes Made."

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

12. (Amended) Entertainment system based on a multiple choice competition games, comprising: a remote server and at least one terminal operable to communicate with the server over a communications network, wherein the terminal includes an audio system for playing in connection with a game at least a portion of a musical recording, [a duration controller for controlling the duration of play of the musical recording,] a display that displays information in the form of a question and suggests multiple choice answers to the question, wherein the question relates to the portion of musical recording that has been played, a user interface that enables a user to select an answer from the displayed multiple choice answers, and a scorer for recording the answer selected by the user and determining if the answer corresponds to a correct answer;

wherein the terminal is a jukebox system that includes a storage device that stores a library of musical recordings that can be played in full on the terminal for a fee, and further wherein the library of musical recordings can be updated with additional musical recordings through communication with the server, thereby defining a customized library of musical recordings on the jukebox system;

and further wherein the jukebox system is operable to dynamically select the musical recording for the game from the customized library of musical recordings and to dynamically generate the question for the game based on contents of the customized library of musical recordings stored on the jukebox system.

18. (Amended) The entertainment system of claim 17, wherein the system includes a plurality of said terminals at different locations, each of said terminals being operable to communicate with the server, and further wherein the server is operable to collect performance information on users who play the game [at] on any of the terminals and to send user ranking information to each of the terminals.